

Appl. No. 09/839,558

### REMARKS

This is in response to the Office Action of 12 February 2004. Claims 1-2, 4-17, 19-20, 22-24, and 27-31 are pending in the application, and Claims 1-2, 4-17, 19-20, 22-24, and 27-31 have been rejected.

By this Response and Amendment, independent Claims 1, 11, and 19 have been amended; and new Claim 32 has been added.

No new matter has been added.

Applicants respectfully request entry of the amendments set forth above. In view of the amendments above and remarks below, Applicants respectfully request reconsideration and further examination.

### About The Invention

The present invention relates generally to apparatus and methods for a distributed location-based information service. More particularly, the present invention relates to a mobile communication device which receives a portion of the information stored in a database of information that is typically maintained by a location-based service provider, wherein that portion is specific to the geographic location, or region, in which the mobile communication device is located, or is expected to be located based upon a determined long-term location profile. In various aspects of the present invention, the processing of the database information is handled by the mobile communication device rather than by the location-based service provider thereby reducing the computation load on the service provider. In other aspects of the present invention the mobile communication device applies user preferences to the information downloaded from the location-based service provider, wherein those preferences act as a filter on the information, and the filtering may be based, for example, on the time of day, the number of information items, the geographic location associated with the information items, or the type, or subject matter of the information items. In other aspects of the present invention, information is downloaded to the mobile communication device in response to one or more of a plurality of triggering

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conditions such as for example, a power-on sequence, a registration with a cell in a cellular communication system, a user preference update, moving outside of a predetermined boundary, or a time-based trigger. In still other aspects of the present invention, information is downloaded to the mobile device during off-peak periods of usage of the location-based information service.

Rejections under 35 USC 112

The Examiner states that Claim 11 recites the limitation "the subset of information", and that there is insufficient antecedent basis for this limitation.

Claim 11 has been amended, in a non-narrowing manner, consistent with the specification, to properly establish antecedence for the subset of information. Applicant respectfully submit that, in view of this amendment, the rejection under 35 USC 112 has been overcome.

Rejections under 35 USC 103(a)

Claims 1-2, and 4-17 have been rejected under 35 USC 103(a) as being unpatentable over Hollenberg (US Patent 6,091,956) in view of Sundquist (US Patent 6,675,014). Claims 19-20, 22-24, and 27 have been rejected under 35 USC 103(a) as being unpatentable over Hollenberg in view of Obradovich, et al., (US Patent 6,542,812). Claims 28-29 have been rejected under 35 USC 103(a) as being unpatentable over Hollenberg in view of Obradovich, et al., and further in view of Sundquist. Claim 30 has been rejected under 35 USC 103(a) as being unpatentable over Hollenberg in view of Obradovich, et al., and further in view of Amin, et al., (US Patent 6,353,398) Claim 31 has been rejected under 35 USC 103(a) as being unpatentable over Hollenberg in view of Obradovich, et al., and further in view of Chavez, et al., (US Patent 5,914,668).

Independent Claims 1, 11, and 19 have been amended, consistent with

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the specification, to recite a long-term location profile. Support for these amendments can be found in the specification at paragraph 00036. As noted in Applicants' specification, a long-term profile can be used to predict future user movement, and can also be used in making a determination as to what information to download to the mobile device during off-peak periods. The references do not appear to disclose, suggest, or provide motivation for a mobile device configured to produce a long-term location profile, a system that provides location based information based on such a long-term location profile. Therefore, Applicants respectfully submit that the rejection of Claims 1-2, 4-17, 19-20, 22-24, and 27-31, in view of Hollenberg, in various combinations with the above-noted references, have been overcome.

#### New Claim 32

New Claim 32, which depends directly from amended Claim 19 is directed to downloading location related information during an off-peak period of usage for the location resource server.

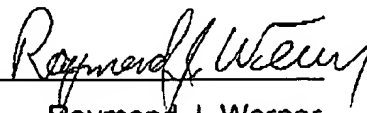
Support for new Claim 32 can be found at paragraph 00036.

#### Conclusion

All of the rejections in the outstanding Office Action of 12 February 2004 have been responded to, and Applicants respectfully submit that the pending Claims 1-2, 4-17, 19-20, 22-24, and 27-32 are now in condition for allowance.

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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Portland, Oregon